UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

John Pomer

v. 03-cv-420-PB

Toyotomi USA, Inc., et al

ORDER OF DISMISSAL

In accordance with the provisions of Local Rule 41.1, as neither an agreement for judgment nor a stipulation for dismissal has been filed, this case is herewith dismissed with prejudice.

SO ORDERED.

March 28, 2006 /s/ Paul Barbadoro

Paul Barbadoro

United States District Judge

cc: James M. McNamee, Jr., Esq. James C. O'Connor, Esq. James M. Campbell, Esq. Mary M. McGoldrick, Esq. Douglas N. Steere, Esq.